

## **STATEMENT OF PURPOSE**

### **RS18376C1**

This bill amends section 31-2606, to prohibit a prosecutor from settling, dismissing or otherwise dropping a criminal prosecution in exchange for payment or a contribution outside the fine distribution structure provided by law. Under this legislation, such a diversion is deemed to be a misuse of public funds under section 18-5701, Idaho Code, which was updated in the 2008 legislative session. This bill also updates old language and provides for penalties. Section 31-2606, Idaho Code, prohibited certain actions by prosecutors, but previously did not prescribe a penalty. Subsection (1) is updated by making it consistent with section 18-1303, which applies to judicial conduct.

### **FISCAL NOTE**

There may be a small positive fiscal impact to county and city highway, and other accounts which are funded from the fines and forfeiture distribution formula.

#### **Contact:**

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